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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- X
 UNITED STATES OF AMERICA :

- against - :

ARSENIO RODRIGUEZ AND MANUEL MELO, :

Defendants. :
 -----X

07 CR. 1150 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Government (see attached letter) requests the exclusion of time until the next scheduled conference in this matter. The parties are directed to appear before the Court for an initial conference on February 15, 2008 at 4:45 p.m.

All parties to this action consent to an exclusion of the adjourned time from the Speedy Trial Act until February 15, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED:

Dated: New York, New York
 5 February 2008



Victor Marrero
 U.S.D.J.



U.S. Department of Justice

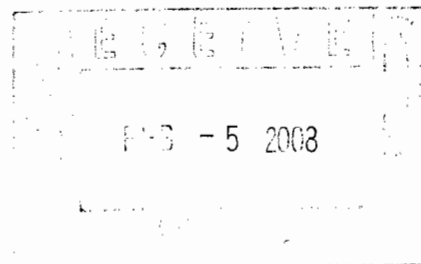
*United States Attorney
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New York, New York 10007*

February 4, 2008

BY FACSIMILE

The Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
Suite 660
New York, New York 10007



**Re: *United States of America v. Arsenio Rodriguez & Manuel Melo,*
07 Cr. 1150 (VM)**

Dear Judge Marrero,

The Government writes to request that the Court set an initial pretrial conference date for the above-captioned matter on any date convenient for the Court. Arsenio Rodriguez and Manuel Melo were indicted on December 12, 2007. Rodriguez was arraigned on January 22, 2008 before Magistrate Judge Gabriel W. Gorenstein. Rodriguez has pled not guilty and was detained on consent. Rodriguez is currently scheduled to stand trial on another matter starting today in the United States District Court for the Eastern District of New York. Melo was arraigned today before Magistrate Judge Douglas F. Eaton. Melo has pled not guilty and was detained on consent.

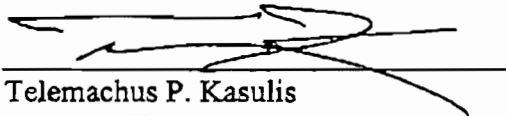
The Government also requests that time be excluded for the purposes of the Speedy Trial Act, Title 18, United States Code, Section 3161, until the date the Court sets for the initial pretrial conference. The Government will use this time to prepare discovery and conduct

plea discussions with the defense. The Government has obtained the consent of counsel for Rodriguez and Melo to this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:



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(212) 637-2411

cc: Mitchell Dinnerstein, Esq. (by facsimile)
Thomas Hamilton Nooter, Esq. (by facsimile)